

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**THE UNITED STATES OF AMERICA**

**VS**

**MARIO RODRIGUEZ**

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§

**CAUSE NO.: 2:15-cr-04268 JB**

**UNOPPOSED MOTION TO CONTINUE SENTENCING**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Defendant, **MARIO RODRIGUEZ**, by and through his undersigned Attorney, **SANTIAGO D. HERNANDEZ**, and hereby moves this Court to enter an order continuing the Sentencing Hearing set for **October 22, 2019 at 3:30 p.m.** and in support thereof would show the following:

1. The Defendants were charged in an Indictment to include 18:1959(a)(1): VIOLENT CRIMES IN AID OF RACKETEERING (MURDER); 18:2 AIDING AND ABETTING. In compliance with the provisions of 18 U.S.C. § 3161 (h)(7)(A), the undersigned affirmatively state that the ends of justice will be served by granting this continuance. Specifically, as required in *United States v. Toombs*, 574 F.3d 1262 (10<sup>th</sup> Cir.2009). Defense counsel, Santiago D. Hernandez, is requesting additional time to resolve objections to the Presentence Reports.
2. The Defendants request a continuance of the Sentencing Hearing for an additional 30 days. This requested continuance is in Defendants' best interest. Defendant is in custody.
3. The United States Assistant District Attorney, Maria Armijo, does not oppose the continuance.

Respectfully submitted,

/s/ Santiago D. Hernandez

SANTIAGO D. HERNANDEZ

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**CERTIFICATE OF SERVICE**

The undersigned attorney hereby certifies that on the 4<sup>th</sup> day of October, 2019, a true and correct copy of the foregoing instrument was electronically filed with the Clerk of the Court using the CM/ECF System and copies of this Motion will be sent to the U.S. Attorney's Office and all counsel of record.

/s/ Santiago D. Hernandez

**Santiago D. Hernandez**